

PREVAILED

Roll Call No. \_\_\_\_\_

FAILED

Ayes \_\_\_\_\_

WITHDRAWN

Noes \_\_\_\_\_

RULED OUT OF ORDER

# HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that House Bill 1351 be amended to read as follows:

- 1 Page 1, line 11, delete "Sixty" and insert "**In the case of a county**
- 2 **that does not contain a consolidated city, sixty**".
- 3 Page 1, line 12, delete "a" and insert "**the**".
- 4 Page 2, line 4, delete "The population to be used for a consolidated".
- 5 Page 2, delete lines 5 through 6, begin a new paragraph and insert:
- 6 "**(d) In the case of a county that contains a consolidated city,**
- 7 **sixty percent (60%) of the amounts recovered under this section in**
- 8 **the county shall be deposited in the housing trust fund established**
- 9 **under IC 36-7-15.5-35.5(e) for the purposes of the fund.**".
- 10 Page 2, line 7, delete "(d) Forty" and insert "**(e) In any county,**
- 11 **forty**".`
- 12 Page 2, line 8, delete "a" and insert "**the**".
- 13 Page 3, line 13, strike "(g)." and insert "**(i).**".
- 14 Page 3, line 25, strike "(h)" and insert "**(j)**".
- 15 Page 4, line 10, delete "(j)" and insert "**(i)**".
- 16 Page 4, line 38, strike "year," insert "**year ending before January**
- 17 **1, 2012, or reporting a distribution under subsection (h) in**
- 18 **December of any year beginning after December 31, 2011,**".
- 19 Page 4, line 41, strike "2001;" and insert "**2001, in the case of a**
- 20 **determination made under this subsection for a year ending before**
- 21 **January 1, 2012, or after June 30, 2012, in the case of a**
- 22 **determination made under this subsection for a year beginning**
- 23 **after December 31, 2011;**".
- 24 Page 5, line 2, strike "2001;" and insert "**2001, in the case of a**

determination made under this subsection for a year ending before January 1, 2012, or after June 30, 2012, in the case of a determination made under this subsection for a year beginning after December 31, 2011;"

Page 5, line 12, after "(g)(2)" insert "or make a distribution under subsection (h), as the case may be,".

Page 5, line 17, after "(g)" insert "or (h)".

Page 5, between lines 41 and 42, begin a new line block indented and insert:

**"(9) Money deposited in the fund under IC 6-2.5-10-1(a)."**

Page 6, line 20, delete "and".

Page 6, between lines 20 and 21, begin a new line block indented and insert:

**"(6) money deposited in the fund under IC 5-1-14-15(c); and".**

Page 6, line 21, delete "(6)" and insert "(7)".

Page 7, line 9, reset in roman "reporting"

Page 7, line 9, delete "period. calendar year, specified as" and insert "period, specified as follows:

**(1) Eighty-three hundredths percent (0.83%), until the retail merchant's state gross retail and use tax liability accrued during the current calendar year reaches seven hundred fifty thousand dollars (\$750,000).**

**(2) Thirteen-hundredths percent (0.13%), after the retail merchant's state gross retail and use tax liability accrued during the current calendar year exceeds seven hundred fifty thousand dollars (\$750,000)."**

Page 7, delete lines 10 through 20.

Page 7, between lines 22 and 23, begin a new paragraph and insert:

**"SECTION 6. IC 6-2.5-10-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 1. (a) The department shall account for all state gross retail and use taxes that it collects. For each periodic remittance collected from a retail merchant under IC 6-2.5-6-1, the department shall calculate an amount equal to the difference between:**

**(1) an amount equal to:**

**(A) the retail merchant's state gross retail and use tax liability for the reporting period, before applying the allowance permitted under IC 6-2.5-6-10; multiplied by**

**(B) eighty-three hundredths percent (0.83%); minus**

**(2) an amount equal to:**

**(A) the retail merchant's state gross retail and use tax liability for the reporting period, before applying the allowance permitted under IC 6-2.5-6-10; multiplied by**

**(B) the percentage allowance that the retail merchant is entitled to under IC 6-2.5-6-10 for the particular reporting period.**

1 From the amount remitted by the retail merchant under  
 2 IC 6-2.5-6-1 for the reporting period, the department shall, before  
 3 making the deposits required under subsection (b), deposit an  
 4 amount equal to the amount determined under this subsection in  
 5 the affordable housing and community development fund  
 6 established by IC 5-20-4-7.

7 (b) After making any deposit in the affordable housing and  
 8 community development fund required under subsection (a), the  
 9 department shall deposit ~~those~~ the state gross retail and use taxes  
 10 collected in the following manner:

11 (1) Fifty percent (50%) of the collections shall be paid into the  
 12 property tax replacement fund established under IC 6-1.1-21.

13 (2) Forty-nine and one hundred ninety-two thousandths percent+  
 14 (49.192%) of the collections shall be paid into the state general  
 15 fund.

16 (3) Six hundred thirty-five thousandths of one percent (0.635%)  
 17 of the collections shall be paid into the public mass transportation  
 18 fund established by IC 8-23-3-8.

19 (4) Thirty-three thousandths of one percent (0.033%) of the  
 20 collections shall be deposited into the industrial rail service fund  
 21 established under IC 8-3-1.7-2.

22 (5) Fourteen-hundredths of one percent (0.14%) of the collections  
 23 shall be deposited into the commuter rail service fund established  
 24 under IC 8-3-1.5-20.5."

25 Page 13, line 30, delete "and".

26 Page 13, between lines 30 and 31, begin a new line block indented  
 27 and insert:

28 **"(6) money deposited in the fund under IC 5-1-14-15(d); and".**

29 Page 13, line 31, delete "(6)" and insert "(7)".

30 Renumber all SECTIONS consecutively.

(Reference is to HB 1351 as printed February 20, 2007.)

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Representative Bardon